

Fiscal Note

Fiscal Services Division



SF 2343 – Judicial Officers (LSB 5397SV)

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Fiscal Note Version – New

Description

Senate File 2343 relates to the appointment of judicial officers and senior judges. Both the delay in filling judicial officer positions and the apportionment sections are repealed as of July 1, 2013.

Background

Senate File 478 (FY 2010 Standing Appropriations Act) enacted language to permit the Chief Justice to delay, for up to 180 days for budgetary reasons, the nominating process for any Supreme Court Justice, Court of Appeals Judge, District Court Judge, District Associate Judge, or Associate Juvenile or Probate Judge office that becomes vacant between May 22, 2009, to June 30, 2010.

This Bill creates a new Code section (Section 602.2301) granting the Chief Justice the authority to delay the nomination of a Supreme Court Justice, Court of Appeals Judge, District Judge, District Associate Judge, Associate Juvenile Judge, or Associate Probate Judge. The authority is repealed on July 1, 2013.

Assumptions

- There are currently seven Supreme Court Justices, nine Court of Appeals Judges, and 189 full-time judges (116 District Court Judges, 60 District Associate Judges, 12 Associate Juvenile Judges, and one Associate Probate Judge). Of the 189, there are currently 11 vacant judgeships in the Judicial Branch. The current unfilled judicial vacancies are one in the Court of Appeals, seven District Court Judgeships in Districts 2B, 4, 5A, 6, and 8A, and three District Associate/Juvenile Judgeships in Districts 5C and 6.
- The average number of annual judicial officer vacancies in the Judicial Branch is four to six.
- The total salary and benefits for a District Court Judge is \$208,000.
- The total salary and benefits for a District Associate Judge is \$187,000.
- The apportionment section of the Bill allows the Judicial Branch to reallocate judicial officer resources across judicial election district boundaries to the areas where they are most needed.

Fiscal Impact

The cost savings in FY 2011 to the Judicial Branch from delaying the filling of vacant appointments could be significant, depending on the judicial officer position that is vacant and the length of time the position is vacant. For example, if two District Court Judge positions and two District Associate Judge positions were held open for an entire year, the savings would be approximately \$790,000.

Source:

Judicial Branch

/s/ Holly M. Lyons

February 22, 2010

The fiscal note for this bill was prepared pursuant to **Joint Rule 17**. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.
